

(iii) While within a safety zone, all vessels must operate at the minimum speed necessary to maintain a safe course.

(d) *Exemption.* Public vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(e) *Waiver.* For any vessel, the Captain of the Port Detroit or his designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of public or environmental safety.

(f) *Notification.* The Captain of the Port Detroit will notify the public that the safety zones in this section are or will be enforced by all appropriate means to the affected segments of the public including publication in the FEDERAL REGISTER as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone established by this section is cancelled.

[USCG-2008-0218, 73 FR 46197, Aug. 8, 2008, as amended by USCG-2010-0126, 75 FR 32668, June 9, 2010]

#### ELEVENTH COAST GUARD DISTRICT

#### § 165.T11-281 **Safety Zone; Lake Mead Intake Construction; Lake Mead, Boulder City, NV.**

(a) *Location.* The limits of the safety zone will include the navigable waters of Lake Mead within a 1300 foot radius around the construction vessels located at approximately 36°05'24" N, 114°45'60" W.

(b) *Enforcement period.* This section will be enforced from March 15, 2010 through December 31, 2010 during construction operations. The safety zone will only be enforced during blasting, excavation, and other general construction operations. General public boating will be notified prior to commencement of construction operations by construction crew via Broadcast No-

tice to Mariners. If the construction concludes prior to the scheduled termination time, the COTP will cease enforcement of this safety zone.

(c) *Definitions.* The following definitions apply to this section:

(1) *Designated representative* means any Commissioned, Warrant, or Petty Officers of the Coast Guard, Coast Guard Auxiliary, or local, state, and federal law enforcement vessels who have been authorized to act on the behalf of the COTP.

(2) *Non-authorized personnel and vessels*, means any civilian boats, fishermen, divers, and swimmers.

(d) *Regulations.* (1) Entry into, transit through or anchoring within this safety zone is prohibited unless authorized by the COTP San Diego or his designated representative.

(2) Non-authorized personnel and vessels requesting permission to transit through the safety zone may request authorization to do so from the COTP San Diego or his designated representative. They may be contacted on VHF-FM Channel 16, or at telephone number (619) 278-7033.

(3) Vessels involved in the construction operations are allowed in the confines of the established safety zone.

(4) All persons and vessels must comply with the instructions of the Coast Guard COTP or his designated representative.

(5) Upon being hailed by U.S. Coast Guard or other official personnel by siren, radio, flashing light, or other means, the operator of a vessel must proceed as directed.

(6) The Coast Guard may be assisted by other federal, state, or local agencies.

EFFECTIVE DATE NOTE: By USCG-2009-1031, 75 FR 13234, Mar. 19, 2010, temporary § 165.T11-281 was added, effective Mar. 19, 2010 through Dec. 31, 2010.

#### § 165.T11-304 **Safety zone; Sea World Summer Nights Fireworks; Mission Bay, San Diego, California.**

(a) *Location.* The limits of the safety zone will include a 600 foot radius around the barge in approximate position 32°46'03" N, 117°13'11" W.

(b) *Enforcement period.* This section will be enforced from 8:50 p.m. to 10